

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation
Case No. CV96-4849

Certified Denial

to Claimant [REDACTED]

in re Accounts of Salo Rosen

Claim Number: 206901/AV¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to accounts of Salo Rosen, Max (or Maksym) Rosen (or Rossen or Rozen), and Frieda (or Freda or Fryda) Rosen (or Rossen or Rozen). The CRT did not locate an account belonging to Max (or Maksym) Rosen (or Rossen or Rozen) or to Frieda (or Freda or Fryda) Rosen (or Rossen or Rozen) in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). This Denial is to the published accounts of Salo Rosen (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the name of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his paternal uncle, Salo Rosen, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, was a businessman, and that he lived in Lwow, Poland (today Lvov, the Ukraine) from 1920 to 1941. The Claimant indicated that he was born on 4 January 1926 in Lwow.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Salo Rosen. The auditors who carried out the ICEP Investigation reported two accounts whose owner’s name matches that provided by the Claimant. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

¹ The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 206901.

Accounts 1010907 and 1010908

The Bank's records indicate that the Account Owner was Salo Rosen, who resided in Poland. The Bank's records also indicate the Account Owner's city of residence. Furthermore, the Bank's records indicate the date of closing of one of the accounts at issue.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his uncle lived in Lwow, Poland. In contrast, the Bank's records show that the Account Owner lived in a different city, which is located over six hundred kilometers from Lwow, and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s may appeal this Denial to the Court through the Special Masters within ninety (90) days of the date of the letter accompanying this decision. Appeals should be delivered to the following address: Office of Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

The Claimant should send appeals in writing to the above address and should include all reasons for the appeal. If more than one account has been denied in this Certified Denial, the Claimant should identify the Account Identification Number that forms the basis of the appeal. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

Scope of the Denial

The Claimant should be aware that the CRT will carry out further research on his claim to determine whether an award may be made based upon the information provided by the Claimant or upon information from other sources.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
15 July 2005